

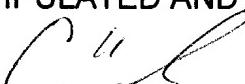
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KIMBERLY C. CUTONE, et al.,)
Plaintiffs,)
v.) Civil Action No. 1:04cv1365 (GK)
ELI LILLY AND COMPANY, et al.,)
Defendants.)

STIPULATION DISMISSING
DART INDUSTRIES, INC. WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the plaintiffs Kimberly C. Cutone and Anthony Cutone and defendant Dart Industries, Inc. (formerly known as Rexall Drug Company), that the above-entitled action be dismissed with prejudice as against Dart Industries, Inc. and without costs to any party hereto as against the other.

STIPULATED AND AGREED TO:



Aaron M. Levine
D.C. Bar # 7864
Attorneys for Plaintiffs
Aaron M. Levine & Associates
1320 19th Street, N.W.
Suite 500
Washington, DC 20036
(202) 833-8040



John F. Anderson
D.C. Bar # 393764
Attorneys for Defendant
Dart Industries, Inc.
Troutman Sanders LLP
1660 International Dr., Suite 600
McLean, Virginia 22102
(703) 734-4356